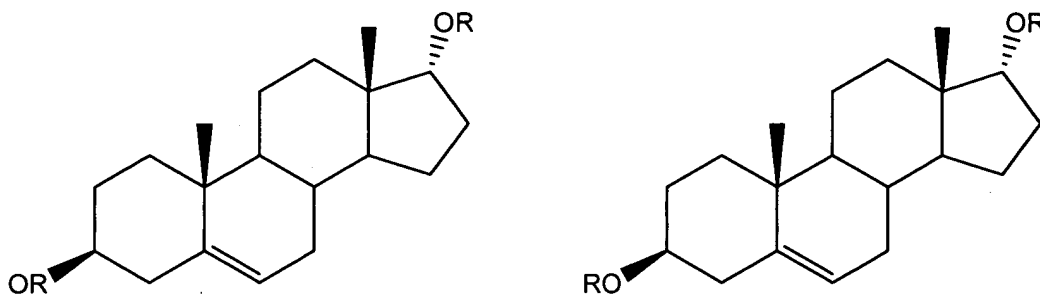AMENDMENTS TO THE CLAIMS

Please amend claim 15, as follows:

15.   (Currently Amended)   A composition of matter for inhibiting tumors comprising a tumor inhibiting effective amount of 5-androstene-3β,17α-diol or an ester or ether thereof of the formula:
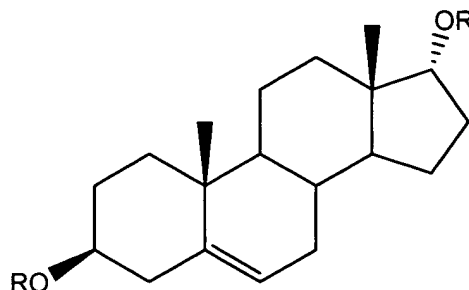

wherein R is selected from the group consisting of H, alkenyl of 2-8 carbons, alkyl of 1-8 carbons, phenylalkyl of 1-4 carbons, phenyl and COR_2, wherein R_2 is selected from the group consisting of H, alkyl of 1-8 carbons, alkenyl of 2-8 carbons, phenylalkyl wherein the alkyl has 1-4 carbons (including benzyl) and phenyl, and wherein any phenyl moiety may have up to three substitutents selected from the group consisting of hydroxy, carboxy of 1-4 carbons, halo, alkoxy of 1-4 carbons, alkyl of 1-4 carbons and alkenyl of 2-4 carbons, and wherein any alkyl may be a straight chain, branched chain, or wholly or partially cyclized, and wherein said composition is in a form selected from the group consisting of a capsule, a tablet, a lozenge, a spray, a cream, a jelly, a suppository, a douching solution and an adhesive patch.

16.   (Previously Amended)   The composition of claim 15 wherein the composition contains 5-androstene-3β,17α-diol.

17.   (Previously Amended)   The composition of claim 15 in the form of a tablet.

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18. (Previously Amended) The composition of claim 15 in the form of a capsule.

19. (Previously Amended) A composition for inhibiting tumors comprising a tumor inhibiting effective amount of 5-androstene-3β,17α-diol or an ester or ether thereof of the formula:

wherein R is selected from the group consisting of H, alkenyl of 2-8 carbons, alkyl of 1-8 carbons, phenylalkyl of 1-4 carbons, phenyl and COR_2, wherein R_2 is selected from a group consisting of H, alkyl of 1-8 carbons, alkenyl of 2-8 carbons, phenylalkyl wherein the alkyl has 1-4 carbons (including benzyl) and phenyl, and wherein any phenyl moiety may have up to three substitutents selected from a group consisting of hydroxy, carboxy of 1-4 carbons, halo, alkoxy of 1-4 carbons, alkyl of 1-4 carbons and alkenyl of 2-4 carbons and wherein any alkyl may be a straight chain, branched chain, or the alkyl may be wholly or partially cyclized, in a pharmaceutically acceptable carrier, wherein said 5-androstene-3β,17α-diol or an ester or ether thereof is part of a cyclodextrin inclusion complex.

20. (Previously Amended) The composition of claim 19 wherein the composition contains 5-androstene-3β,17α-diol.

21. (Canceled)

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22. (Previously Added)   The composition of claim 19 in the form of a tablet.

23. (Previously Added)   The composition of claim 19 in the form of a capsule.

24. (Previously Added)   The composition of claim 19, wherein said composition is in a form selected from the group consisting of a spray, a cream, a jelly, a suppository, a douching solution, a liquid and an adhesive patch.

REMARKS

The claimed invention is drawn, *inter alia*, to an effective pharmaceutical composition comprising αAED or esters or ethers thereof.

Claim Rejections - 35 U.S.C. § 103

Claims 15, 17 and 18 stand rejected under 35 U.S.C. § 103 for allegedly being obvious over Schwartz *et al.* Applicant respectfully traverses this rejection.

The Examiner alleges that Schwartz (U.S. Patent # 4,898,694) "does not teach[es] applicant's compounds per se but do[es] teach them generically." The Examiner then concludes, "[t]herefore, one skilled in this art would find ample motivation from the prior art supra to employ the prior art compounds for treating cancer in the form of a tablet o[r] capsule with a reasonable expectation that said compounds would be effective to combat said cancers." See, Paper 27, page 2, last paragraph, lines 3-7.

The guidelines for the "Obviousness of Species When Prior Art Teaches Genus" state,

> "The fact that a claimed species or subgenus is encompassed by a prior art genus is not sufficient by itself to establish a *prima*

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